

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 13 2007

MMB Docket No. 1671-0298

J&J Reference: DEP5256USNP

Application of: Hayden

Group Art Unit: 3733

Serial No. 10/811,338

Examiner: Richard R. Shaffer

Filing Date: March 26, 2004

For: Navigated Pin Placement for Orthopaedic Procedures

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 11, 2007
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April 11, 2007

Date of Signature

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision set forth in the Official Action mailed December 11, 2006, in which the Examiner finally rejected claims 30-49. Applicant respectfully requests a one (1) month extension in which to file a response from March 11, 2007 to April 11, 2007.

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02 FS:1251

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Commissioner for Patents

April 11, 2007

Page 2 of 2

A check for \$620.00 is enclosed to cover the filing fee of a Notice of Appeal (\$500.00) and the fee for a Petition for a One (1) Month Extension of Time (\$120.00). Also, please provide any further extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,

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April 11, 2007

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